

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

c/17

X

SAMMY PAUL BANCH,

Plaintiff,

-against-

GREEN HAVEN CORRECTIONAL FACILITY;
AUBURN CORRECTIONAL FACILITY;
SOUTH BEACH PSYCRISTIC HOSPITAL,

Defendants.

X

**ORDER AND
CIVIL JUDGMENT**

09-CV-4008 (BMC)

COGAN, District Judge:

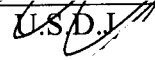
On August 10, 2009, plaintiff filed this *pro se* action against several New York State Department of Correctional Services ("DOCS") facilities and one hospital. By Order dated October 16, 2009, the Court dismissed the *in forma pauperis* complaint for failure to state a claim on which relief may be granted. However, plaintiff was afforded thirty days to file an amended complaint to state a 42 U.S.C. § 1983 claim challenging his post-supervision release. The Court further stated that if plaintiff failed to comply with the Order within thirty days, or show good cause why he could not comply, judgment would enter dismissing the complaint. Plaintiff has not submitted an amended complaint and the time for doing so has passed. Accordingly, it is,

ORDERED, ADJUDGED AND DECREED: That the complaint is hereby dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3)

that any appeal from this order would not be taken in good faith. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

/Signed by Judge Brian M. Cogan/


U.S.D.J.

Dated: Brooklyn, New York
November 30, 2009